

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
OFFICE OF THE CLERK

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PATRICIA L. McNUTT
Clerk of the Court

JOHN L. MEDEARIS
Chief Deputy Clerk

June 16, 2006

NOTICE

Pursuant to 28 U.S.C. § 2071(b), the Clerk of the Court hereby gives notice of and an opportunity for comment regarding the Court's amendment to Eastern District of Tennessee Local Rule 7.4. The amendment repeals the current rule and enacts the following rule in its place:

Citation to decisions of the United States Supreme Court shall be to the United States Reports, if therein; otherwise to the Supreme Court Reporter or the United States Supreme Court Reports, Lawyers' Edition. Citations to other federal decisions shall be made to the West reporter. Citations to state decisions shall be to the West regional reporter if therein; otherwise to the official state reporter. Citations to federal statutes shall include at least the title and the section designation as the statute appears in the United States Code. For authorities not available in one of the publications set forth above, citations to Westlaw, LexisNexis or other easily available non-subscription Internet legal research services will be accepted. The court will **not** consider improperly cited authority.

Filing with the court and service upon other parties of copies of cited authorities is required only when the authority is not available in one of the publications of the West Publishing Company, Westlaw, LexisNexis or other easily available non-subscription Internet legal research services. However, *upon request*, a party must provide to the court or another party a copy of any authority not available in one of the publications of the West Publishing Company.

Comments: The April, 2006, revision to this rule allows citation to Westlaw and LexisNexis for authorities not available in the listed reporters. The amendment further requires filing and service of copies of authorities only when the authority is not available in one of the West publications, Westlaw or LexisNexis. The original rule, however, allowed citation to any "computer assisted legal research" source. Following the April, 2006, revision, the Court received a comment noting that the revision would no longer allow citation to Internet legal research services that are less expensive than Westlaw and Lexis. Accordingly, the proposed amendment allows citation to, and to not require service of copies from, citations that are easily available from any non-subscription Internet legal research service. The rule retains the requirement that, upon request, a party must provide a copy of any authority not available in one of the publications of the West Publishing Company.

The foregoing amendment took affect on June 9, 2006. Comments should be directed, in writing, to Patricia L. McNutt, Clerk of Court, at the above address.